

FIFTY-FIRST DAY
(Thursday, April 10, 1975)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Adams, Andujar and Lombardino.

A quorum was announced present.

Pastor J. David Peterson, Prince of Peace Lutheran Church, Austin, Texas, offered the invocation as follows:

Our Father in Heaven. We thank You for the gift of this new day. Help us to rejoice in this gift, and in the opportunities before us. Give us this day the right view when we look at the work before us. Give us the long view of our work and our world. Help us to live the words "Thy Kingdom come, Thy will be done on earth as it is in Heaven."

Help us to see that it is better to fail in a cause that will ultimately succeed, than to succeed in a cause that will ultimately fail.

Give us Faith to believe in the ultimate triumph of Your will, Your righteousness. May Your will be done here. May Your program be carried out above party and personality, above and beyond our own interests, for the good of our people; that what is done here will truly be a blessing upon our state.

We pray for the bifocals of faith that we may see the crying needs around us, but also see, further on, Your patience working out Your plan in this world that You have so loved that You have sent Your only begotten Son to show us the way.

May our prayer awaken us to know Your presence with us. We thank You that You have been willing to come to earth and share with us the weakness of the flesh, for now we know that You understand all that we are ever called upon to bear.

We thank You for the victory in Christ our Lord, in His death and resurrection. This Easter Season we thank You for the promise of the resurrection, "that the same spirit that raised up Jesus from death shall give life to our mortal bodies." We say we believe and pray Thy will be done, yet so often ignore You and do not consult You. Forgive us Lord for our lack of faith, our willful pride that ignores the way, the truth and the life.

Lord, give us new life today. Renew us. Reach down and change the gears within us that we may go forward with Thee. Bless us, each one, not according to our deserving, but according to Your mercy, Your word, Your presence with us in Christ Jesus. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Andujar was granted leave of absence for today on account of important business on motion of Senator Williams.

Senator Lombardino was granted leave of absence for today on account of important business on motion of Senator Williams.

Senator Adams was granted leave of absence for today on account of important business on motion of Senator Aikin.

REPORTS OF STANDING COMMITTEES

Senator Sherman submitted the following report for the Committee on Natural Resources:

H.B. 985
S.B. 601
C.S.S.B. 863 (Read first time)
C.S.S.B. 685 (Read first time)
S.R. 267
S.R. 268
S.R. 269

Senator Mauzy submitted the following reports for the Committee on Education:

S.B. 927
S.B. 791
S.B. 847

Senator Moore submitted the following reports for the Committee on State Affairs:

S.B. 501	S.B. 485 (Amended)
S.B. 889	S.B. 547 (Amended)
S.B. 890	S.B. 571 (Amended)
S.B. 1011	S.B. 494 (Amended)
S.B. 891	S.B. 533 (Amended)
S.B. 542	C.S.S.B. 117 (Read first time)
H.B. 1749	

Senator Schwartz submitted the following reports for the Committee on Jurisprudence:

H.B. 154	S.B. 681
H.B. 669	C.S.S.B. 664 (Read first time)
S.B. 827	S.B. 577

S.B. 769	S.B. 570 (Amended)
S.B. 767	C.S.S.B. 192 (Read first time)
S.B. 754	S.B. 382
S.B. 721	C.S.S.B. 159 (Read first time)
S.B. 534	S.B. 130 (Amended)

Senator Snelson submitted the following reports for the Committee on Intergovernmental Relations:

H.B. 1004
S.B. 647
S.B. 643
C.S.S.B. 1027 (Read first time)
S.B. 897
S.B. 796
S.B. 598
S.B. 996

HOUSE RESOLUTIONS ON FIRST READING

The following resolutions received from the House were read the first time and referred to the Committees indicated:

H.C.R. 52, To Committee on Natural Resources.
H.C.R. 98, To Committee on Natural Resources.

SENATE BILLS AND RESOLUTION ON FIRST READING

By unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Traeger:

S.B. 1032, A bill to be entitled An Act granting cities and towns the power and right to lease oil, gas or mineral lands in such manner and upon such terms as the governing body of such town or city may determine; providing for severability; amending Article 1267, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

To Committee on Natural Resources.

By Senator Doggett:

S.B. 1033, A bill to be entitled An Act relating to the requirement of continuing education for license renewal under Article 4566, Vernon's Civil Statutes, Acts 1969, 61st Leg., p. 1122, ch. 366, as amended; and declaring an emergency.

To Committee on Human Resources.

By Senator Schwartz:

S.R. 404, Providing for creation of an interim committee to review the powers, duties and responsibilities of the Parks and Wildlife Commission and the Parks and Wildlife Department.

To Committee on Natural Resources.

SENATE RESOLUTION 402 ON SECOND READING

Senator Mengden offered the following resolution:

S.R. 402, Memorializing Congress to act favorably and expeditiously on the Bentsen-Eckhardt bill to provide immediate relief for the subsidence-stricken Brownwood Addition of Baytown, Texas.

MENGDEN
BROOKS
GAMMAGE
WILLIAMS
SCHWARTZ

The resolution was read and was adopted.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting "Nay" on the adoption of the resolution.

SENATE RESOLUTION 403 ON SECOND READING

Senator Mengden offered the following resolution:

S.R. 403, Requesting the United States Corps of Engineers to proceed with subsidence investigation with all possible haste.

MENGDEN
BROOKS
GAMMAGE
WILLIAMS
SCHWARTZ

The resolution was read and was adopted.

RECORD OF VOTE

Senator Mauzy asked to be shown as voting "Nay" on the adoption of the resolution.

**VOTE ON FINAL PASSAGE OF
HOUSE BILL 169 RECONSIDERED**

On motion of Senator Doggett and by unanimous consent, the vote by which **H.B. 169** was finally passed was reconsidered.

Question - Shall **H.B. 169** be finally passed?

The President laid before the Senate on its third reading and final passage:

H.B. 169, A bill to be entitled An Act providing the necessary administrative and legal positions in the attorney general's office under the provisions of Senate Bill 283, Acts of the Sixty-third Legislature, Regular Session, 1973; providing an appropriation for the payment of claims pursuant to Senate Bill 283, Acts of the

Sixty-third Legislature; and declaring an emergency.

The bill was read third time.

Senator Doggett offered the following amendment to the bill:

Amend the caption by adding the following after the word appropriation in line 5: "out of the General Revenue Fund".

Amend Section 1 by adding the following after the word appropriation in line 10: "out of the General Revenue Fund".

Amend Section 2 by adding the following after the word appropriation in line 16: "out of the General Revenue Fund".

The amendment was read and was adopted by unanimous consent.

On motion of Senator Doggett and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was again finally passed by the following vote: Yeas 28, Nays 0.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kochmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Adams, Andujar and Lombardino.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 58

Senator Gammage submitted the following Conference Committee Report:

Austin, Texas
April 8, 1975

Honorable William P. Hobby
President of the Senate

Honorable Bill Clayton
Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill 58 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

GAMMAGE
ADAMS
FARABEE
MEIER
SANTIESTEBAN
On the part of the Senate

JONES
COLEMAN
MALONEY
SPURLOCK
TANNER
On the part of the House

S.B. 58,

"A BILL

TO BE ENTITLED

An Act relating to the period of suspension of a driver's license on conviction of certain offenses; relating to automatic suspension of a driver's license, the surrender of licenses on conviction, and the reporting of convictions to the Department of Public Safety; authorizing the court to restrict the operation of a motor vehicle of a person convicted of certain offenses and providing for the issuance of a restricted license in such a case; requiring proof of a valid policy of automobile liability insurance; defining an offense; creating a penalty; amending Subsection (a), Section 25, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subsection (a), Section 25, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) Whenever any person is convicted of any offense for which this Act makes automatic the suspension of the operator's, commercial operator's, or chauffeur's license of such person, the court in which such conviction is had shall require the surrender to it of all operators', commercial operators', and chauffeurs' licenses then held by the person so convicted and the clerk of said court shall thereupon forward the same together with a record of such conviction. If, by order of the court, the person convicted is not confined or imprisoned, the court may enter an order restricting the operation of a motor vehicle to the person's occupation or to participation in an alcoholic or drug treatment, rehabilitation, or educational program, provided the person gives proof of a valid policy of automobile liability insurance in accordance with the provisions of the Texas Motor Vehicle Safety-Responsibility Act, as amended (Article 6701h, Vernon's Texas Civil Statutes). The order shall state restrictions as to hours of the day, days of the week, type of occupation or program and areas or routes of travel to be permitted, except that the person convicted may not be allowed to operate a motor vehicle more than ten (10) hours in any consecutive twenty-four (24) hours, providing, on proper showing of necessity, the court may waive the ten (10) hour restriction. The order shall be effective for a period to be determined by the judge and may be extended at the discretion of the judge, provided that if the order is granted for longer than a twelve (12) month period, the person convicted must give proof to the Department of Public Safety of a valid policy of automobile liability insurance in accordance with the provisions of the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes). But in no event may the order remain in effect beyond the period for which the convicted person's license has been suspended. A certified copy of the order shall be given to the person convicted and shall be forwarded to the Department together with the person's licenses and the record of his conviction. Upon receipt of the order, the Department shall issue a license showing upon its face the restrictions and expiration date set out in the order. The person convicted may use the order of the court as a restricted license for a period of fourteen (14) days following the date of the order. Any person who violates the restrictions of the order of the court or on the license issued under this section is guilty of a

misdemeanor and upon conviction shall be punished in the same manner as one convicted of driving a motor vehicle while license is suspended, and the license and order shall be automatically cancelled.

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.'

The Conference Committee Report was read and was adopted by the following vote: Yeas 27, Nays 1.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Jones.

Absent-excused: Adams, Andujar and Lombardino.

BILL AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bill and resolutions:

H.B. 564
H.C.R. 59
H.C.R. 114

COMMITTEE OF THE WHOLE SENATE

On motion of Senator Aikin and by unanimous consent, the Senate resolved itself into a Committee of the Whole Senate at 10:25 o'clock a.m. for the purpose of receiving a report on the State's fiscal condition from the staff of the Legislative Budget Board.

The President appointed Senator Aikin to serve as Chairman of the Committee of the Whole Senate.

IN LEGISLATIVE SESSION

The President called the Senate to order As In Legislative Session at 11:33 o'clock a.m. today.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, April 10, 1975

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.J.R. 11, Eight amendments to the constitution article-by-article submission of Constitutional Convention Resolution 1. (Adopted section by section as amended.)

S.B. 164, A bill to be entitled An Act renaming the Texas Civil Judicial Council the Texas Judicial Council; relating to the Council's purposes and duties; amending Sections 1 and 5, Chapter 19, Acts of the 41st Legislature, 1st Called Session, 1929, as amended (Article 2328a, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 523, A bill to be entitled An Act relating to an increase in the membership on the Texas Advisory Commission on Intergovernmental Relations; amending Section 5, Chapter 881, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4413(32b), Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 284, A bill to be entitled An Act relating to the creation of the County Court at Law of Webb County; making other provisions relative to the court; relating to the jurisdiction of the County Court of Webb County; and declaring an emergency. (With amendment)

S.B. 377, A bill to be entitled An Act relating to the membership and per diem of members of the State Soil Conservation Board; amending Subsections A and D, Section 4, State Soil Conservation Law, as amended (Article 165a-4 Vernon's Texas Civil Statutes); and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE RESOLUTION 406

Senator Gammage offered the following resolution:

WHEREAS, The Honorable Akiva Noff, a distinguished member of the unicameral legislative body of Israel, the Knesset, is visiting the Senate of the State of Texas on Thursday, April 10, 1975; and

WHEREAS, An esteemed statesman in his country, Mr. Noff serves on the State Control Committee and the Arranging Committee of the 120-member Knesset. He is also noted for his sponsorship of legislation relating to veteran and war widow benefits, food reserve administration, and housing for young couples; and

WHEREAS, A native of Tel Aviv, this exceptional gentleman studied law and international affairs at Hebrew University of Jerusalem and received his law degree in 1965. In addition, he has studied at the Institute of Social Studies in The Hague, Netherlands; and

WHEREAS, Mr. Noff is accompanied by his lovely wife, Miriam, a former Miss Israel and participant in the Miss Universe Pageant, and her children, Michael and Lee Weingarten; and

WHEREAS, The Texas Senate is extremely honored by the visit of Mr. and Mrs. Noff and Lee and Michael to observe a daily session of the state legislature; now, therefore, be it

RESOLVED, That the Senate of the 64th Legislature of the State of Texas hereby extend a warm welcome to The Honorable Akiva Noff, and his wife, Miriam, on their visit to Texas and the Capitol and recognize them as honorary Texans; and, be it further

RESOLVED, That Mr. Noff and his lovely wife, and Lee and Michael, be granted floor privileges by the Texas Senate; and, be it further

RESOLVED, That an official copy of this resolution be prepared for Mr. and Mrs. Noff as a memento of their visit from the Senate of the State of Texas.

GAMMAGE
SCHWARTZ

The resolution was read and was adopted.

The President introduced as Guests of the Senate The Honorable and Mrs. Akiva Noff and presented Honorary Texan certificates to them.

The President then presented Mr. Noff, who addressed the Senate as follows:

Thank you. Mr. Chairman, members of the Assembly, my wife Miriam and myself, we are really thrilled by this warm welcome of us here and we want to thank Senator Gammage and Senator Schwartz for honoring us with this resolution. We consider it, first of all, as a personal honor but more than that as an expression of the feeling of this House as much as the feeling of the nation, the people we met, both in cities and in the rural areas, the friendship you all feel throughout our country towards Israel.

Members of the Assembly, all of us, Americans and Israelis, we are on the same boat. Call it the Boat of Freedom, call it the Boat of the Biblical Inheritance, call it the Boat of Democracy. We all have our roots, the same soil aims and our branches are climbing to the same heaven. You are the leading brother on this boat. We are the small nation, but still you're the long arm in the Middle East--right in the center of the Middle East. And I'm sure I know the feelings of people in Israel towards America. The sympathy, more of it, kind of a feeling as if this is part of our own family, kind of a union. I know the billions of dollars you've poured into Europe, all that you did to South America, and still I think such warm feelings as we do feel in our country, in Israel, towards America is a very distinguished phenomenon. And I would like to hope and actually I know it, that from this very hard time we have, we will have your help. It is this coming Thursday that we shall celebrate the 27th anniversary of the State of Israel, a new state for an old nation. And whoever believes, and thank heaven I know here we still believe in a Divine Will, in God, must not fail to see that there is a destiny in the fact that this old nation of 4,000 years old still exists, that after 2,000 years of exile we succeeded in coming back to our homeland to the country where David and Saul and Solomon ruled the country and the prophets preached the universal word. We succeeded in coming back into this country to reclaim it, to settle it, because it was an empty country, half desert, half swamp and I do recall a very distinguished American writer, Mark Twain, who visited Israel in 1857 and gave us a document, or I would rather say a photo of this country, how it used to be several years before the Zionist first wave of immigration came to Israel, a deserted, empty country. We came back, we fertilized the country, we built universities, we constructed roads, we built a modern nation out of people coming from 70 different countries 70 different languages, and we were and we are hoping to live in peace together with our neighbors within the country, our Arab neighbors within the country and outside the country. But there is only one way to achieve this aim of peace and this way is by having a strong Israel. An Israel that no Arab leader and no one else can ever have the illusion of the ability of destroying it. Once they know they cannot beat us I'm sure they'll join us in working together for a better Middle East; in working together for the humanistic and social new methods and new aims we brought from the West into the Middle East. And I pray -- I'm sure you'll join my prayer -- that we shall continue to have many, many years of this work and one day we shall all reach the state that the prophets said, "they will study war no more." Amen.

REMARKS ORDERED PRINTED IN JOURNAL

On motion of Senator Schwartz and by unanimous consent, Mr. Noff's remarks were ordered printed in the Senate Journal.

EXECUTIVE SESSION

The President announced that the time had arrived for an Executive Session of the Senate. (Senator McKinnon having given notice on yesterday.)

The President at 11:45 o'clock a.m. directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the President called the Senate to order As In Legislative Session at 11:54 o'clock a.m. today.

Senator McKinnon moved confirmation of the nominees reported by the Committee on State Affairs, Sub-Committee on Nominations and considered in Executive Session.

The following nominees were then confirmed by the following vote: Yeas 28, Nays 0.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Adams, Andujar and Lombardino.

NOMINEES CONFIRMED

Members, Board of Regents of Midwestern University: For a six-year term to expire February 25, 1974: Mr. Carter McGregor, Jr. of Wichita Falls, Wichita County is replacing Mr. Marvin L. McCullough of Wichita Falls who is deceased.

For a six-year term to expire February 25, 1978: General G. P. Disosway of Dallas, Dallas County is replacing Mr. Bobby M. Burns of Wichita Falls who is deceased.

For a six-year term to expire February 25, 1980: Mr. William Gregg Paul of Rusk, Cherokee County is replacing Mr. Hugh Marshall of Quanah whose term expired; Mr. Carter McGregor, Jr. of Wichita Falls, Wichita County is being reappointed; Doctor William Ben Huckaby of Wichita Falls, Wichita County is replacing Mr. Louis Pitcock, Jr. of Graham whose term expired.

Members, Board of Regents of Stephen F. Austin State University: For a six-year term to expire January 31, 1975: Mr. Homer Bryce of Henderson, Rusk County is replacing Mr. R. E. McGee of Houston who is deceased.

For a six-year term to expire January 31, 1977: Mrs. Tom Wright of Nacogdoches, Nacogdoches County is replacing Mr. Douglas Bergman of Dallas who is deceased.

For a six-year term to expire January 31, 1981: Mr. Homer Lee Bryce of Henderson, Rusk County is being reappointed; Mr. Joe Bob Golden, Jr. of Jasper, Jasper County is being reappointed; Mr. James Irvine Perkins of Rusk, Cherokee County is being reappointed.

Member, Governor's Committee on Aging: For a six-year term to expire August 30, 1975: Mr. Abelardo (Al) Villarreal of Alice. Jim Wells County is replacing Mr. Robert R. Sanders of Amarillo who resigned.

Members, Texas Real Estate Commission: For a six-year term to expire October 5, 1979: Mr. W. C. Miller of Dallas, Dallas County is replacing Mr. George R. Bolin of Houston whose term expired; Mr. Forrest C. Allen of Corpus Christi, Nueces County is replacing Mr. Lawrence Miller, Jr. of Dallas whose term expired.

Member, Texas Sabine River Compact Commission: For a six-year term to expire July 12, 1980: Mr. George Massey Smith of Center, Shelby County is being reappointed.

Members, Texas Water Well Drillers Board: For a six-year term to expire September 15, 1977: Mr. B. F. Block of Amarillo, Potter County is being reappointed; Mr. Murray Don McKinley, Sr. of Pearsall, Frio County is being reappointed.

For a six-year term to expire September 15, 1979: Mr. Tommy C. Bussell of Houston, Harris County is replacing Mr. A. E. Fawcett, Jr. of Houston whose term expired; Mr. James Taylor Virdell of Llano, Llano County is replacing Mr. R. F. Myers of Dallas whose term expired.

District Judge of the 131st Judicial District of Texas, Bexar County until the next general election in 1976 and until his successor shall be duly elected and qualified: Mr. Fred Shannon of San Antonio, Bexar County is replacing Judge Eugene C. Williams of San Antonio who resigned.

Judge of the Juvenile Court No. 2 of Dallas County, Texas until the next general election and until his successor shall be duly elected and qualified: The Honorable Pat McClung of Dallas, Dallas County is replacing Judge Ted Robertson of Dallas who resigned.

Members, Board of Regents of West Texas State University: For a six-year term to expire August 31, 1975: Mr. John M. Shelton III of Amarillo, Potter County is replacing Mr. Wayne Owen of Lubbock who resigned.

For a six-year term to expire August 31, 1979: Mr. T. L. Roach, Jr. of Amarillo, Potter County is replacing Mr. James E. Jenkins of Amarillo whose term expired; Mr. C. Wallace Harrell of Gonzales, Gonzales County is replacing Mr. P. R. Rutherford, Jr. of Houston whose term expired.

For a six-year term to expire August 31, 1977: Mr. Dee S. Osborne of Houston, Harris County is replacing The Honorable Kent Hance of Lubbock who resigned.

Members, Texas Optometry Board: For a six-year term to expire January 31, 1981: Dr. Salvador S. Mora of Laredo, Webb County is being reappointed; Dr. Philip Lewis of Houston, Harris County is replacing Dr. Jack Burton of Cleburne whose term expired.

Members, State Board of Plumbing Examiners: For a six-year term to expire September 5, 1977: Mr. Jay Lee Drymalla of Columbus, Colorado County is replacing Mr. Joe Bland of Austin who resigned.

For a six-year term to expire September 5, 1979: Mr. Phillip A. Lord of Pasadena, Harris County is replacing Mr. Arthur D. Goodman of Beaumont whose term expired; Mr. Robert L. Wingler of Wichita Falls, Wichita County is being reappointed.

Members, Texas Conservation Foundation: For a six-year term to expire January 31, 1981: Mr. Jim DeWitt Bowmer of Killeen, Bell County is replacing Mr. Ralph Churchill of Dallas whose term expired; Mr. Gordon Russell Wynne, Jr. of Wills Point, Van Zandt County is replacing Mr. William James Hendrickson of Wichita Falls whose term expired; Mr. James Ralph Meadows of Columbus, Colorado County is replacing Mr. Raiford Stripling of San Augustine whose term expired.

Members, Advisory Council on Early Childhood Education: For a two-year term to expire June 16, 1975: Dr. Paul R. Meyer of Port Arthur, Jefferson County is replacing Dr. William S. Conkling of Navasota who resigned; Mrs. Marion Pratt of Fort Worth, Tarrant County is replacing Mr. Bill Bollinger of San Angelo who resigned; Mrs. Julia O. Willhoite of Austin, Travis County is replacing Mrs. Martha Loeffler of Austin who resigned.

Member, Finance Commission of Texas, Building and Loan Section: For a six-year term to expire February 1, 1981: Mr. Abe M. Katz of Corpus Christi, Nueces County is replacing Mr. Robert B. Baldwin III of Houston whose term expired.

Member, Texas Advisory Commission on Intergovernmental Relations: For a six-year term to expire August 29, 1975: Mr. John W. Arnn of Temple, Bell County is replacing Mr. Howard McMahan of Dallas who resigned.

Members, Texas Tourist Development Board: For a six-year term to expire August 23, 1979: Mr. George F. Dillman of Dallas, Dallas County is being reappointed; Mr. Edward N. Wishcamper of Abilene, Taylor County is replacing Mr. Gus E. Lehmann of Kerrville whose term expired; Mr. Robert H. Burck of Dallas, Dallas County is replacing Mr. John R. McCarty of Dallas whose term expired.

HOUSE BILL 222 ON SECOND READING

The President laid before the Senate on its second reading and passage to third reading:

H.B. 222, A bill to be entitled An Act relating to compensation of members of certain juvenile boards; amending Section 1, Chapter 374, Acts of the 54th Legislature, 1955 (Article 5139H-1, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 222 ON THIRD READING

Senator Snelson moved that Senate Rule 68 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 222** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Adams, Andujar and Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote: Yeas 28, Nays 0.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Adams, Andujar and Lombardino.

HOUSE BILL 353 POSTPONED

On motion of Senator Hance and by unanimous consent, consideration of **H.B. 353** was postponed until the next Local and Uncontested Bills Calendar.

HOUSE BILL 865 POSTPONED

On motion of Senator Hance and by unanimous consent, consideration of **H.B. 865** was postponed until the next Local and Uncontested Bills Calendar.

HOUSE BILL 513 POSTPONED

On motion of Senator Schwartz and by unanimous consent, consideration of **H.B. 513** was postponed until the next Local and Uncontested Bills Calendar.

HOUSE BILL 511 POSTPONED

On motion of Senator Doggett and by unanimous consent, consideration of **H.B. 511** was postponed until the next Local and Uncontested Bills Calendar.

HOUSE BILL 199 ON SECOND READING

The President laid before the Senate on its second reading and passage to third reading:

H.B. 199, A bill to be entitled An Act relating to oaths, affidavits, and affirmations made by the husband or wife of a member of the Armed Forces of the United States or any auxiliary thereto; amending Section 4, Article 26, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 199 ON THIRD READING

Senator Longoria moved that Senate Rule 68 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 199** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban,

Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Adams, Andujar and Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

HOUSE BILL 613 POSTPONED

On motion of Senator Braecklein and by unanimous consent, consideration of **H.B. 613** was postponed until the next Local and Uncontested Bills Calendar.

HOUSE BILL 1011 ON SECOND READING

The President laid before the Senate on its second reading and passage to third reading:

H.B. 1011, A bill to be entitled An Act relating to the imposition of a use tax on persons to whom metal dealer license plates are issued; amending Article 6.01, Title 122A, Taxation--General, Revised Civil Statutes of Texas, 1925, as amended, by adding Section (9); and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 1011 ON THIRD READING

Senator Creighton moved that Senate Rule 68 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 1011** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Adams, Andujar and Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

HOUSE BILL 245 POSTPONED

On motion of Senator Mauzy and by unanimous consent, consideration of **H.B. 245** was postponed until the next Local and Uncontested Bills Calendar.

HOUSE CONCURRENT RESOLUTION 12 POSTPONED

On motion of Senator Sherman and by unanimous consent, consideration of **H.C.R. 12** was postponed.

SENATE BILL 469 ON SECOND READING

On motion of Senator Meier and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 469, A bill to be entitled An Act relating to the licensing and regulation of convalescent and nursing homes and related institutions by the State Department of Public Welfare; amending Subsection (d) of Section 2 and Section 9, Chapter 413, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4442c, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Ogg asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 469 ON THIRD READING

Senator Meier moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 469** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Palman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Ogg.

Absent-excused: Adams, Andujar and Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 1.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Palman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Ogg.

Absent-excused: Adams, Andujar and Lombardino.

SENATE BILL 459 ON SECOND READING

On motion of Senator Sherman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading

and passage to engrossment:

S.B. 459, A bill to be entitled An Act relating to the compensation of the Criminal District Attorney of Deaf Smith County; amending Section 7, Chapter 34, Acts of the 62nd Legislature, Regular Session, 1971 (Article 326k-64, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 459 ON THIRD READING

Senator Sherman moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 459** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Adams, Andujar and Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

MOTION TO PLACE COMMITTEE SUBSTITUTE SENATE BILL 250 ON SECOND READING

Senator Mauzy asked unanimous consent to suspend the regular order of business and take up **C.S.S.B. 250** for consideration at this time.

C.S.S.B. 250, A bill to be entitled An Act providing for the administration of family law by redesignating each domestic relations court and special juvenile court of the State of Texas a regular numbered judicial district; increasing the jurisdiction of each court to that of a court of general jurisdiction giving preference to family matters; providing for terms, personnel, facilities, and administration; making other provisions relative to the courts and judges; repealing certain Acts; and declaring an emergency.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up **C.S.S.B. 250** for consideration at this time.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members present): Yeas 16, Nays 10.

Yeas: Braecklein, Brooks, Clower, Doggett, Gammage, Harris, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Ogg, Santiesteban, Schwartz and Williams.

Nays: Aikin, Creighton, Hance, Jones, McKinnon, Moore, Patman, Sherman, Snelson and Traeger.

Absent: Farabee and Harrington.

Absent-excused: Adams, Andujar and Lombardino.

HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION 11 REFERRED

Pursuant to the provisions of Senate Rule 77, the President referred the House Amendments to **S.J.R. 11** to the Committee on the Texas Constitution.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, April 10, 1975

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 115, A bill to be entitled An Act amending the Lower Colorado River Authority Act, etc.; and declaring an emergency. (With amendments).

S.B. 48, A bill to be entitled An Act relating to the definition of goods, services, and consumer; relating to the regulation of deceptive and unlawful trade practices; defenses to class action lawsuits; amending Subdivisions (1), (2), and (4), Section 17.45, and Subdivisions (1) and (2), Section 17.54, Subchapter E, Chapter 17, Business & Commerce Code; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

COMMITTEE SUBSTITUTE SENATE BILL 599 ON SECOND READING

On motion of Senator Ogg and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 599, A bill to be entitled An Act relating to the appointment of presiding judges in certain elections, amending Section 15, Texas Election Code, as amended (Article 3.01, Vernon's Texas Election Code), and declaring an emergency.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Mengden and Harris asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 599 ON THIRD READING

Senator Ogg moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 599** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Harris and Mengden.

Absent-excused: Adams, Andujar and Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 2.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Harris and Mengden.

Absent-excused: Adams, Andujar and Lombardino.

BILLS AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S.B. 41
S.B. 28
S.C.R. 52

SENATE BILL ON FIRST READING

By unanimous consent the following bill was introduced, read first time and referred to the Committee indicated:

By Senator Mauzy:

S.B. 1034, A bill to be entitled An Act relating to changing the name of the State Senior College System to the Texas State University System; changing the names of the universities in the system; authorizing the appointment of a chancellor of the system; amending the names of Subtitle E of Title 3, Chapters 95 and 96, and Subchapters A, B, C, and D of Chapter 96, Texas Education Code; amending Sections 95.01, 95.03, 95.04, 95.21, 95.22, 95.24, 95.25, 95.26, 95.27, 95.28, 95.29, 95.30, 96.01, 96.21, 96.41, and 96.61, Subsections (a) and (c) of Section 95.31, Subsection (a) of Section 95.32, and Subsections (a), (b), and (d) of Section 96.63, Texas Education

Code, as amended, and adding Section 95.05; and declaring an emergency.
To Committee on Education.

HOUSE AMENDMENTS TO SENATE BILL 115 REFERRED

Pursuant to the provisions of Senate Rule 77, the President referred the House amendments to **S.B. 115** to the Committee on State Affairs.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas
April 10, 1975

TO THE SENATE OF THE SIXTY-FOURTH LEGISLATURE, REGULAR
SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a Member of the Board of Directors of the Texas Turnpike Authority:
For a six-year term to expire February 15, 1979: Mr. Durwood A. Sutton of Grand Prairie, Dallas County is replacing Mr. Marshall H. Warder of Grand Prairie, Dallas County whose term expired.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Monday, April 14, 1975

S.C.R. 38 - Senator Traeger
C.S.S.B. 2 - Senator Gammage
C.S.S.B. 65 - Senator Mengden
C.S.S.B. 69 - Senator Moore
C.S.S.B. 109 - Senator Mauzy
C.S.S.B. 110 - Senator Mauzy
S.B. 154 - Senator Jones
S.B. 155 - Senator Jones
S.B. 228 - Senator Moore
C.S.S.B. 244 - Senator Ogg
C.S.S.B. 250 - Senator Mauzy
S.B. 257 - Senator Mauzy
S.B. 307 - Senator Jones
S.B. 309 - Senator Snelson
C.S.S.B. 319 - Senator Patman
C.S.S.B. 348 - Senator Braecklein
S.B. 401 - Senator Lombardino
S.B. 405 - Senator Sherman